

9/762648

ATTORNEY DOCKET NO.: 0342941-0031 (HU 01431-97)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: President and Fellows of Harvard College  
Serial No.: PCT/US98/17691  
Filing Date: August 26, 1998  
Title: NOVEL TRANSCRIPTIONAL REGULATORS AND USES  
THERFOR

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

**TRANSMITTAL**

Enclosed please find the following documents regarding the above-referenced matter:

1) Petition for Revival of an International Application for Patent Designating the U.S.

Abandoned Unintentionally Under 37 C.F.R. §1.137(b) (2 pages);

2) Statement that entire delay in filing reply was unintentional (1 page);

3) Check in the amount of \$605.00 to cover the small-entity petition fee under 37 C.F.R.

§1.17(m)

4) Instructions to Commence National Stage Under 35 U.S.C. §371(c) (1 page);

5) Patent Application Fee Determination Sheet for National Stage Filing (1 page);

6) Check in the amount of \$1110.00 to cover the small-entity National Stage filing fee under

§35 U.S.C. §41(a)

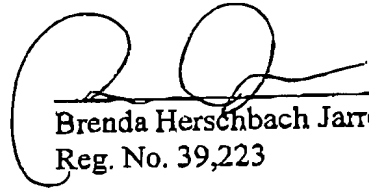
7) Executed Small Entity Statements (2 documents, 3 pages each);

8) Three executed Declarations (3 pages each); and

9) Return Postcard.

Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully Submitted,

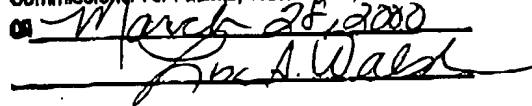


Brenda Herschbach Jarrell, Ph.D.

Reg. No. 39,223

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: March 28, 2000  
Exchange.3106215.1

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Commissioner For Patents, Washington, D.C. 20231  
on March 28, 2000



ATTORNEY DOCKET NO.: 0342941-0031 & 0045 (HU 01431-97)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: President and Fellows of Harvard College  
Serial No.: PCT/US98/17691  
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Title: NOVEL TRANSCRIPTIONAL REGULATORS AND USES  
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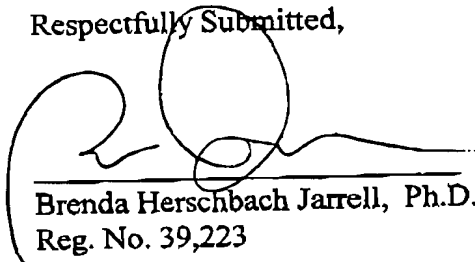
Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

STATEMENT UNDER 37 C.F.R. §1.137(b)(3)

The above-referenced International Patent Application became abandoned February 29, 2000, for failure to file Instructions to Commence the National Phase under 35 U.S.C. §371. The entire delay in filing the required Instructions, from the due date of February 28, 2000, until the filing of this Petition, was unintentional. As the responsible petitioner, I am in a position to know that such delay was unintentional. The Petition enclosed herewith is filed within two months of my becoming aware of the abandonment of the above referenced International Patent Application, and thus is considered prima facie timely under 37 C.F.R. §1.81(f).

Respectfully Submitted,



Brenda Herschbach Jarrell, Ph.D.  
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Commissioner For Patents, Washington, D.C. 20231  
on March 28, 2000

[Signature]  
J. A. Wren

ATTORNEY DOCKET NO.: 0342941-0031 (HU 01431-97)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: President and Fellows of Harvard College  
Serial No.: PCT/US98/17691  
Filing Date: August 26, 1998  
Title: NOVEL TRANSCRIPTIONAL REGULATORS AND USES  
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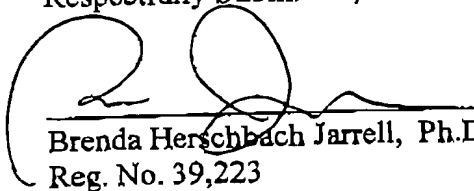
Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

INSTRUCTIONS TO COMMENCE NATIONAL STAGE UNDER 35 U.S.C. §371

Applicant hereby requests commencement of the National Stage under 35 U.S.C. §371(c) for the above referenced International Patent Application. This Application became unintentionally abandoned for failure to initiate the National Stage. A Petition for Revival for the unintentional abandonment is attached herewith, along with all associated fees. A Patent Application Fee Determination Record is also attached, along with a check to cover the Patent Application Fee. The present Instructions constitute the Reply necessary for the Petition for Revival. Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully Submitted,

  
Brenda Herschbach Jarrell, Ph.D.  
Reg. No. 39,223

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53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: March 28, 2000  
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on March 28, 2000  
Sp. J. Walok

-cc:15-  
ATTORNEY DOCKET NO.: 0342941-0031 (HU 01431-97)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: President and Fellows of Harvard College

Serial No.: PCT/US98/17691

Filing Date: August 26, 1998

Title: NOVEL TRANSCRIPTIONAL REGULATORS AND USES  
THERFOR

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

Patent Application Fee Determination Sheet for National Stage Filing under 35 U.S.C. §41

Basic National Filing Fee under 35 U.S.C. §41(a)(9):

Where the Patent and Trademark Office was the International Preliminary Examining Authority  
(Small Entity): \$335.00

Additional Fees under 35 U.S.C. §§ 41(a)(13)-(15)(Small Entity):

Total Claims in Excess of 20:  $(57 - 20) \times 9 = \$333.00$

Number of Independent Claims in Excess of 3:  $(11 - 3) \times \$39 = \$312.00$

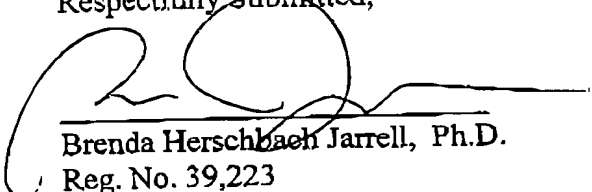
Multiple Dependent Claims: \$130.00

Total Filing Fee:

\$1110.00

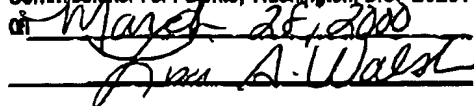
Enclosed is a check in the amount of \$1110.00 to cover the total small-entity National Stage Filing Fee. Please charge any additional fees, and credit any overpayments, to our Deposit Account No. 03-1721.

Respectfully Submitted,

  
Brenda Herschbach Jarrell, Ph.D.  
Reg. No. 39,223

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53 State Street  
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Commissioner For Patents, Washington, D.C. 20231  
on March 28, 2000

  
A. Walsh

**CHOATE, HALL & STEWART**

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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MAR 05 2001  
PCT SPECIAL  
PROGRAMS OFFICENumber of pages being sent 24 (including this page)**DATE:** March 5, 2001

Recipient	Company	Fax No.	Phone No.
1. Diana Oleksa	PCT Help Desk	703-305-2919	702-305-3257

**FROM:** Anne Barnes**DIRECT DIAL:** 617-248-4806

**REMARKS:** Thank you for your electronic message regard the attached Petition for Revival. Enclosed you will find copies of the petition along with its attachments as filed on March 28, 2000. We appreciate your assistance with this matter.

**TIME SENT:** \_\_\_\_\_ **OPERATOR:** \_\_\_\_\_ **CLIENT NO.** 0342941-0031

Return by: Inter-office Mail \_\_\_\_\_ Hold for pick-up \_\_\_\_\_

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